

**AMENDMENT TRANSMITTAL LETTER**Docket No.  
SPINE 3.0-437 CIP CIP CIP CIP CONT VApplication No.  
10/642,522-Conf. #3161Filing Date  
August 15, 2003Examiner  
B. E. PellegrinoArt Unit  
3738

Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok

Invention: ARTIFICIAL INTERVERTEBRAL DISC HAVING A CIRCUMFERENTIALLY BURIED WIRE  
MESHENDPLATE ATTACHMENT DEVICE**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	40	- 43 =	0	x 50.00	0.00
Independent Claims	4	- 4 =	0	x 210.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00

☒ Large Entity☐ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095  
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.  
William A. Di Bianca  
Attorney/Agent Reg. No.: 58,653Dated: October 29, 2007LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 29, 2007

Signature: (William A. Di Bianca)

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Dated: October 29, 2007

Signature: [Signature]

(William A. Di Biase)



Docket No.: SPINE 3.0-437 CIP CIP CIP CIP CIP CONT V  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Errico et al.

Application No.: 10/642,522

Filed: August 15, 2003

For: ARTIFICIAL INTERVERTEBRAL DISC  
HAVING A CIRCUMFERENTIALLY  
BURIED WIRE MESHENDPLATE  
ATTACHMENT DEVICE

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: Group Art Unit: 3738  
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: Examiner: B. E.  
Pellegrino  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Dear Sir:

In response to the Office Action mailed July 27, 2007,  
Applicants submit the following amendments and remarks.